

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

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**HUNTER B. FLESHOOD, JR.,**

**Plaintiff,**

**v.**

**MICHAEL J. ASTRUE,**  
**Commissioner of Social Security,**

**Defendant.**

**CIVIL NO. 3:09CV833**

**FINAL ORDER**

This matter is before the Court on the Report and Recommendation of the Magistrate Judge (R&R) entered on September 8, 2010. The time to file objections has expired and neither party has objected to the R&R. Having considered the matter and deeming it otherwise proper and just to do so, it is hereby ORDERED:

- (1) The Report and Recommendation of the Magistrate Judge is ACCEPTED and ADOPTED as the OPINION of the Court.
- (2) Plaintiff's Motion for Summary Judgment (docket no. 18) is DENIED.
- (3) Defendant's Motion for Summary Judgment (docket no. 20) is GRANTED.
- (4) The decision of the Commissioner is AFFIRMED.
- (5) This case is CLOSED.

Let the Clerk of the Court send a copy of this Final Order to Plaintiff and all counsel of record.

It is so ORDERED.

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/s/ *REP*  
Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: *October 1, 2010*